

For Office Use Only:

File Number

BNPL2021023

Application Fee

\$1529.00 ✓
\$2,761.00 ✓ pd.

Related File Number

ANPL2021027

Conservation Authority Fee

N/A

Pre-consultation Meeting

Well & Septic Info Provided

N/A

Application Submitted

Dec 2020 / Jan 21 / 2021 Planner

Complete Application

Consent - Jan 25/21 Public Notice Sign

N. Goodband Intake.

Check the type of planning application(s) you are submitting.

- ☒ Consent/Severance/Boundary Adjustment
☐ Surplus Farm Dwelling Severance and Zoning By-law Amendment
☒ Minor Variance
☐ Easement/Right-of-Way

Property Assessment Roll Number: 40101201600

A. Applicant Information

Name of Owner MARK JAMES FITZGERALD

It is the responsibility of the owner or applicant to notify the planner of any changes in ownership within 30 days of such a change.

Address 68 LYNDHURST AVE

Town and Postal Code NORFOLK COUNTY N3Y 4K2

Phone Number _____

Cell Number _____

Email _____

Name of Applicant MARK JAMES FITZGERALD

Address 68 LYNDHURST AVE

Town and Postal Code NORFOLK COUNTY N3Y 4K2

Phone Number _____

Cell Number _____

Email _____



Name of Agent Caroline D Jager
Address 524 St. Johns Rd. E
Town and Postal Code Port Dover ON N0A1N2
Phone Number 519-909-9851
Cell Number _____
Email cjagerdesign@gmail.com

Please specify to whom all communications should be sent. Unless otherwise directed, all correspondence and notices in respect of this application will be forwarded to the agent noted above.

☐ Owner ☒ Agent ☐ Applicant

Names and addresses of any holder of any mortgages, charges or other encumbrances on the subject lands:

B. Location, Legal Description and Property Information

1. Legal Description (include Geographic Township, Concession Number, Lot Number, Block Number and Urban Area or Hamlet):

PLAN 182 BLK 97 LOT 7 PT LOT 8

Municipal Civic Address: 174 QUEEN ST. SOUTH

Present Official Plan Designation(s): URBAN

Present Zoning: RESIDENTIAL R2 ZONE

2. Is there a special provision or site specific zone on the subject lands?

☐ Yes ☒ No If yes, please specify:

3. Present use of the subject lands:

SINGLE DETACHED DWELLING

4. Please describe **all existing** buildings or structures on the subject lands and whether they are to be retained, demolished or removed. If retaining the buildings or structures, please describe the type of buildings or structures, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

Single detached dwelling, garage, deck to remain. Refer to attached sketch.

5. If an addition to an existing building is being proposed, please explain what it will be used for (for example a bedroom, kitchen, or bathroom). If new fixtures are proposed, please describe.

None.

6. Please describe **all proposed** buildings or structures/additions on the subject lands. Describe the type of buildings or structures/additions, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

New single detached dwelling with attached garage, and accessory dwelling unit on severed property. Refer to attached sketch. 1

7. Are any existing buildings on the subject lands designated under the *Ontario Heritage Act* as being architecturally and/or historically significant? Yes ☐ No ☒

If yes, identify and provide details of the building:

8. If known, the length of time the existing uses have continued on the subject lands:

9. Existing use of abutting properties:

Residential R2 / R1B

10. Are there any easements or restrictive covenants affecting the subject lands?

☒ Yes ☐ No If yes, describe the easement or restrictive covenant and its effect:

~~Property contains official plan significant woodlands~~

C. Purpose of Development Application

Note: Please complete all that apply.

1. Site Information

Existing

Proposed

Please indicate unit of measurement, for example: m, m² or %

Lot frontage	12.9m	12m
Lot depth	65.8m	95.7m
Lot width	12.9m	12m
Lot area	888m ²	1148m ²
Lot coverage	26%	15%
Front yard	6m	6m
Rear yard	44m	72m
Left Interior side yard	3m	1.2m
Right Interior side yard	1.2m-0.3m	1.2m
Exterior side yard (corner lot)		

2. Please outline the relief requested (assistance is available):

Relief of interior right side yard 0.3m at front corner of existing building to remain from new property line.

3. Please explain why it is not possible to comply with the provision(s) of the Zoning By-law:

The location of the existing residence to remain encroaches on the minimum frontage required (12m) for the proposed new lot.

4. Description of land intended to be severed in metric units:

Frontage:	12m
Depth:	95.7m
Width:	12m
Lot Area:	1148m ²
Present Use:	Urban Residential R2
Proposed Use:	Urban Residential R2 - Single Detached Dwelling

Proposed final lot size (if boundary adjustment): _____



If a boundary adjustment, identify the assessment roll number and property owner of the lands to which the parcel will be added: _____

Description of land intended to be retained in metric units:

Frontage: 12.9m

Depth: 65.8m

Width: 12.9m

Lot Area: 888m²

Present Use: Urban Residential R2 - Single Detached Dwelling

Proposed Use: Urban Residential R2 - Single Detached Dwelling

Buildings on retained land: Refer to attached sketch

5. Description of proposed right-of-way/easement in metric units:

Frontage: _____

Depth: _____

Width: _____

Area: _____

Proposed Use: _____

6. List all properties in Norfolk County, which are owned and farmed by the applicant and involved in the farm operation:

Owners Name: _____

Roll Number: _____

Total Acreage: _____

Workable Acreage: _____

Existing Farm Type: (for example: corn, orchard, livestock) _____

Dwelling Present?: ☒ Yes ☐ No If yes, year dwelling built _____



Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (for example: corn, orchard, livestock) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____

Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (for example: corn, orchard, livestock) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____

Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (for example: corn, orchard, livestock) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____

Note: If additional space is needed please attach a separate sheet.

D. Previous Use of the Property

1. Has there been an industrial or commercial use on the subject lands or adjacent lands? ☐ Yes ☒ No ☐ Unknown

If yes, specify the uses (for example: gas station, or petroleum storage):

2. Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites? ☐ Yes ☒ No ☐ Unknown

3. Provide the information you used to determine the answers to the above questions:



4. If you answered yes to any of the above questions in Section D, a previous use inventory showing all known former uses of the subject lands, or if appropriate, the adjacent lands, is needed. Is the previous use inventory attached? ☐ Yes ☐ No

E. Provincial Policy

1. Is the requested amendment consistent with the provincial policy statements issued under subsection 3(1) of the *Planning Act*, R.S.O. 1990, c. P. 13? ☒ Yes ☐ No

If no, please explain:

2. It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals, including the Endangered Species Act, 2007. Have the subject lands been screened to ensure that development or site alteration will not have any impact on the habitat for endangered or threatened species further to the provincial policy statement subsection 2.1.7? ☒ Yes ☐ No

If no, please explain:

3. Have the subject lands been screened to ensure that development or site alteration will not have any impact on source water protection? ☒ Yes ☐ No

If no, please explain:

Note: If in an area of source water Wellhead Protection Area (WHPA) A, B or C please attach relevant information and approved mitigation measures from the Risk Manager Official.

4. Are any of the following uses or features on the subject lands or within 500 metres of the subject lands, unless otherwise specified? Please check boxes, if applicable.

Livestock facility or stockyard (submit MDS Calculation with application)

☐ On the subject lands or ☐ within 500 meters – distance _____

Wooded area

☒ On the subject lands or ☐ within 500 meters – distance _____

Municipal Landfill

☐ On the subject lands or ☐ within 500 meters – distance _____

Sewage treatment plant or waste stabilization plant

☐ On the subject lands or ☐ within 500 meters – distance _____

Provincially significant wetland (class 1, 2 or 3) or other environmental feature

☐ On the subject lands or ☐ within 500 meters – distance _____

Floodplain

☐ On the subject lands or ☐ within 500 meters – distance _____

Rehabilitated mine site

☐ On the subject lands or ☐ within 500 meters – distance _____

Non-operating mine site within one kilometre

☐ On the subject lands or ☐ within 500 meters – distance _____

Active mine site within one kilometre

☐ On the subject lands or ☐ within 500 meters – distance _____

Industrial or commercial use (specify the use(s))

☐ On the subject lands or ☐ within 500 meters – distance _____

Active railway line

☐ On the subject lands or ☐ within 500 meters – distance _____

Seasonal wetness of lands

☐ On the subject lands or ☐ within 500 meters – distance _____

Erosion

☐ On the subject lands or ☐ within 500 meters – distance _____

Abandoned gas wells

☐ On the subject lands or ☐ within 500 meters – distance _____

F. Servicing and Access

1. Indicate what services are available or proposed:

Water Supply

- ☒ Municipal piped water ☐ Communal wells
☐ Individual wells ☐ Other (describe below)
-

Sewage Treatment

- ☒ Municipal sewers ☐ Communal system
☐ Septic tank and tile bed in good working order ☐ Other (describe below)
-

Storm Drainage

- ☒ Storm sewers ☐ Open ditches
☐ Other (describe below)
-

2. Existing or proposed access to subject lands

- ☒ Municipal road ☐ Provincial highway
☐ Unopened road ☐ Other (describe below)

Name of road/street:

G. Other Information

1. Does the application involve a local business? ☐ Yes ☒ No

If yes, how many people are employed on the subject lands?

2. Is there any other information that you think may be useful in the review of this application? If so, explain below or attach on a separate page.
-

H. Supporting Material to be submitted by Applicant

In order for your application to be considered complete, folded hard copies (number of paper copies as directed by the planner) and an **electronic version (PDF) of the site plan drawings, additional plans, studies and reports** will be required, including but not limited to the following details:

1. Concept/Layout Plan
2. All measurements in metric
3. Existing and proposed easements and right of ways
4. Parking space totals – required and proposed
5. All dimensions of the subject lands
6. Dimensions and setbacks of all buildings and structures
7. Location and setbacks of septic system and well from all existing and proposed lot lines, and all existing and proposed structures
8. Names of adjacent streets
9. Natural features, watercourses and trees

In addition, the following additional plans, studies and reports, including but not limited to, may also be required as part of the complete application submission:

- ☐ Zoning Deficiency Form
- ☐ On-Site Sewage Disposal System Evaluation Form (to verify location and condition)
- ☐ Environmental Impact Study
- ☐ Geotechnical Study / Hydrogeological Review
- ☐ Minimum Distance Separation Schedule
- ☐ Record of Site Condition
- ☐ Agricultural Impact Assessment

Your development approval might also be dependent on Ministry of Environment Conservation and Parks, Ministry of Transportation or other relevant federal or provincial legislation, municipal by-laws or other agency approvals.

All final plans must include the owner's signature as well as the engineer's signature and seal.

I. Transfers, Easements and Postponement of Interest

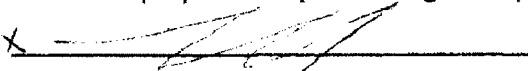
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that it is their solicitor's responsibility on behalf of the owner for the registration of postponements of any charges in favour of the County.

Permission to Enter Subject Lands

Permission is hereby granted to Norfolk County officers, employees or agents, to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

Freedom of Information

For the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, I authorize and consent to the use by or the disclosure to any person or public body any information that is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P. 13 for the purposes of processing this application.

X 
Owner/Applicant/Agent Signature

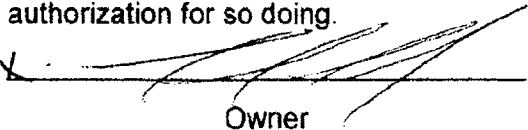
Nov 25, 2020
Date

J. Owner's Authorization

If the applicant/agent is not the registered owner of the lands that is the subject of this application, the owner must complete the authorization set out below.

I/We _____ am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize _____ to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.

X 
Owner

Nov 25, 2020
Date

Owner

Date

K. Declaration

I, Mark Fitzgerald of Simcoe Ont

solemnly declare that:

all of the above statements and the statements contained in all of the exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act*.

Declared before me at:

X. [Signature]

Owner/Applicant/Agent Signature

In NORFOLK COUNTY

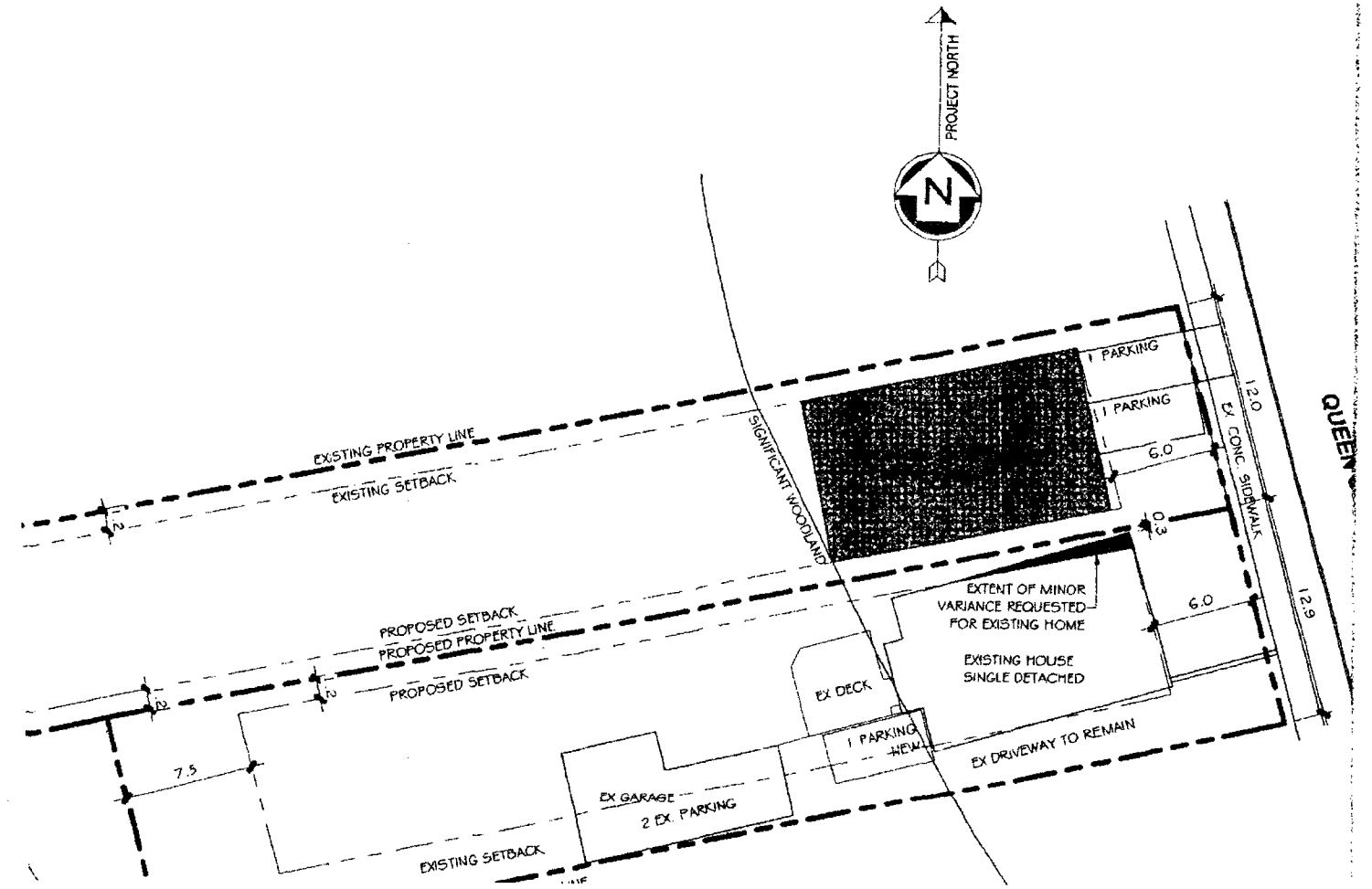
This 25th day of NOVEMBER 2020

A.D., 20____

[Signature]

A Commissioner, etc.

Sherry Ann Mott, a
Commissioner, etc., Province of Ontario,
for the Corporation of Norfolk County.
Expires January 5, 2023.





Zoning Deficiency

Simcoe: 185 Robinson St.
Simcoe, ON
N3Y 5L6
519-426-5870
Langton: 22 Albert St.
Langton, On.
N0E 1G0
519-875-4485

PROPERTY INFORMATION

Address: 174 Queen Street South Simcoe

Legal Description:

Roll Number: 40101201600

Application #:

Information Origins: site sketch from applicant

Urban Residential Type 2 Zone (R2)

SFD (use R1-B)

Main Building - Proposed new lot A		REQUIRED	PROPOSED	DEFICIENCY	UNITS
5.2.2 a) minimum lot area					
i) interior lot		360.00	1148.00	N/A	m.sq
ii) corner lot				N/A	m.sq
b) minimum lot frontage					
i) interior lot		12.00	12.00	N/A	m
ii) corner lot				N/A	m
c) minimum front yard		6.00	6.00	N/A	m
d) minimum exterior side yard				N/A	m
e) minimum interior side yard					
i) detached private garage or parking space				N/A	m
accessed via front yard				N/A	m
ii) detached private garage or parking				N/A	m
space accessed via a rear lane				N/A	m
iii) attached Private Garage	Left	1.20	1.20		
	Right	1.20	1.20		
f) minimum rear yard		7.50	72.00	N/A	m
g) maximum building height		11.00	11.00	N/A	m

Comments

Note: these ZDF's only address they lot and the outline of the building on the lot. The applicant is noting that ADU's will be added to SFD's, but no information regarding ADU's has been submitted to confirm zoning compliance.

Parking

	REQUIRED	PROPOSED	DEFICIENCY	UNITS
4.1 number of parking spaces	3 for each lot	???		
4.2.5 min 50% front yard landscape	50.00	50.00		%

Comments

Needs to confirm measurements of parking spaces and locations when application for ADU's are made. Landscape of front yard is measuring exactly at 50% assuming parking spaces are 3.0m wide. Only one parking space per unit is permitted to be in the front yard. The 2nd parking space for the dwelling unit must be located in an attached garage

The proposed information and any supporting documents have been provided by the owner/applicant. The above information is only in respect to the associated planning application and does not relieve the owner/applicant from obtaining all other permits/approvals required. The owner/applicant hereby accepts full responsibility for the accuracy of the proposed information provided on this form.

Prepared By:

Roxanne Lambrecht

I have read and understand the above.



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Urban Residential Type 2 Zone (R2)

SFD (use R1-B)

Signature of owner or authorized agent

date

AS PER: Fritz R. Enzlin. CBCO,
CRBO - Chief Building Official
Manager, Building & Bylaw
Division, Norfolk County



Zoning Deficiency

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PROPERTY INFORMATION

Address: 174 Queen Street South Simcoe

Legal Description:

Roll Number: 40101201600

Application #:

Information Origins: site sketch from applicant

Urban Residential Type 2 Zone (R2)

SFD (use R1-B)

		REQUIRED	PROPOSED	DEFICIENCY	UNITS
Main Building - Existing SFD, Lot B					
5.2.2 a) minimum lot area					
i) interior lot		360.00	888.00	N/A	m.sq
ii) corner lot				N/A	m.sq
b) minimum lot frontage					
i) interior lot		12.00	12.90	N/A	m
ii) corner lot				N/A	m
c) minimum front yard		6.00	6.00	N/A	m
d) minimum exterior side yard				N/A	m
e) minimum interior side yard					
i) detached private garage or parking space				N/A	m
accessed via front yard				N/A	m
ii) detached private garage or parking	Left	3.00	3.00	N/A	m
space accessed via a rear lane	Right	1.20	0.30	0.90	m
iii) attached Private Garage	Left				
	Right				
f) minimum rear yard		7.50	44.00	N/A	m
g) maximum building height		11.00	11.00	N/A	m

Comments

Note: these ZDF's only address the lot and the outline of the existing SFD on the lot. The applicant is noting that ADU's will be added to SFD's, but no information regarding ADU's has been submitted to confirm zoning compliance.

Accessory Structure

	REQUIRED	PROPOSED	DEFICIENCY	UNITS
3.2.1 a) building height	5.00	??	#VALUE!	m
b) minimum front yard	6.00	??	#VALUE!	m
c) minimum exterior side yard	6.00		N/A	m
d) minimum interior side yard	1.20	??	#VALUE!	m
e) minimum rear yard	1.20	??	#VALUE!	m
f) through lot distance to street line	6.00		N/A	m
g) Lot coverage (Note: Proposed Area)				m.sq
i) lot coverage	10.00	??	#VALUE!	%
ii) usable floor area	55.00	??	#VALUE!	m.sq

Comments

there is an existing detached garage on this property. Information is required to determine if it is compliant for an accessory structure in an R2 zone.



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PROPERTY INFORMATION

Address: 174 Queen Street South Simcoe

Legal Description:

Roll Number: 40101201600

Application #:

Information Origins: site sketch from applicant

Urban Residential Type 2 Zone (R2)

Parking	SFD (use R1-B) REQUIRED	PROPOSED	DEFICIENCY	UNITS
4.1 number of parking spaces	3 for each lot	???		
4.2.5 min 50% front yard landscape	50.00	77.00		%
Comments	Needs to confirm measurements of parking spaces and locations when application for ADU's are made. Driveway in front yard leads to all parking spaces behind SFD. Confirmation required that parking spaces in garage meet the bylaw requirements for width and length			

The proposed information and any supporting documents have been provided by the owner/applicant. The above information is only in respect to the associated planning application and does not relieve the owner/applicant from obtaining all other permits/approvals required. The owner/applicant hereby accepts full responsibility for the accuracy of the proposed information provided on this form.

Prepared By:

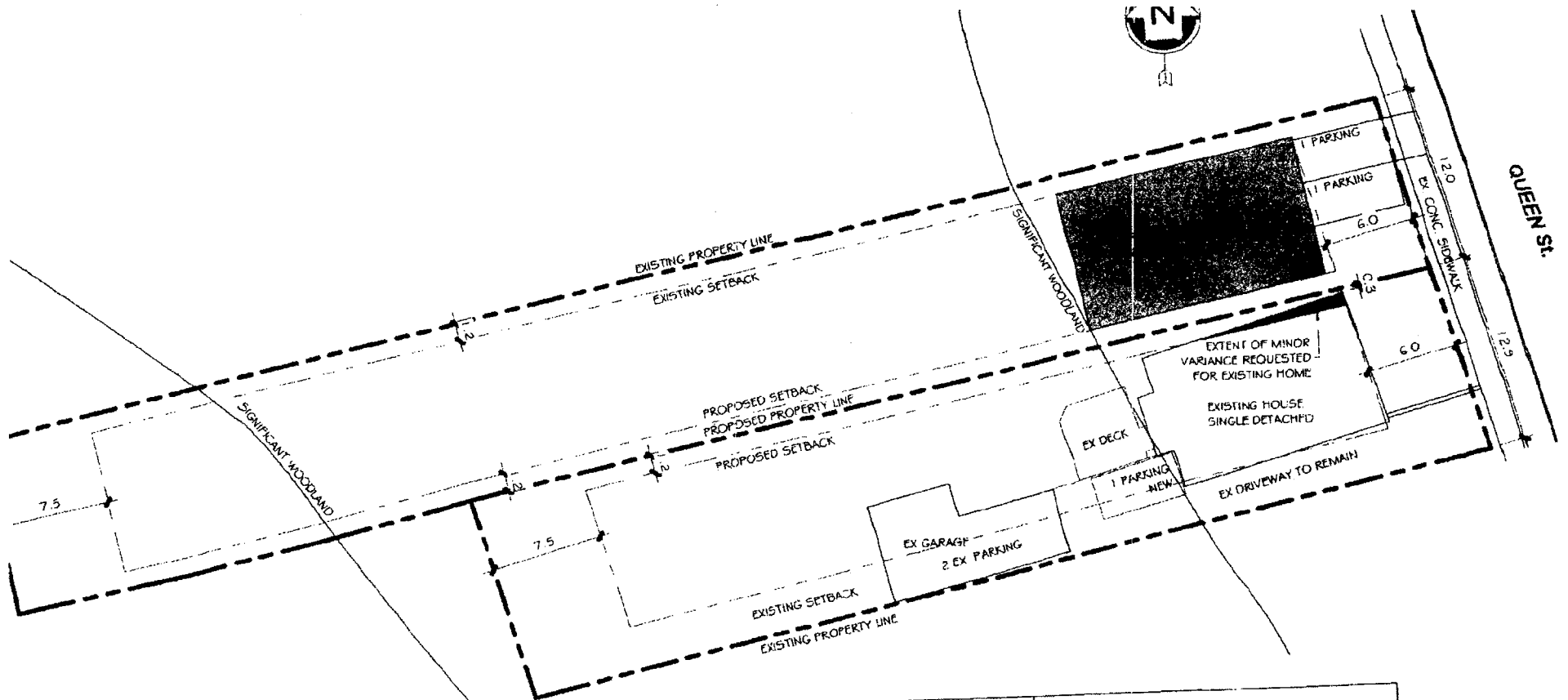
Roxanne Lambrecht

I have read and understand the above.

Signature of owner or authorized agent

date

AS PER: Fritz R. Enzlin, CBCO,
CRBO - Chief Building Official
Manager, Building & Bylaw
Division, Norfolk County



ZONING INFORMATION:

PROPOSED LOT A:

ZONE R2 SINGLE DETACHED WITH ACCESSORY RESIDENTIAL DWELLING UNIT SUBJECT TO 3.2.3
 PROVISIONS OF R1-B APPLY TO SINGLE DETACHED
 5.2.3 2 SPACES - SINGLE DETACHED
 PARKING 1 PARKING SPACE - ACCESSORY DWELLING UNIT
 FRONT YARD 51% GREEN SPACE PROPOSED

PROPOSED LOT B:

ZONE R2 SINGLE DETACHED WITH ACCESSORY RESIDENTIAL DWELLING UNIT SUBJECT TO 3.2.3
 PROVISIONS OF R1-B APPLY TO SINGLE DETACHED
 5.2.3 2 EXISTING SPACES TO REMAIN
 PARKING 1 PARKING SPACE FOR ACCESSORY DWELLING UNIT

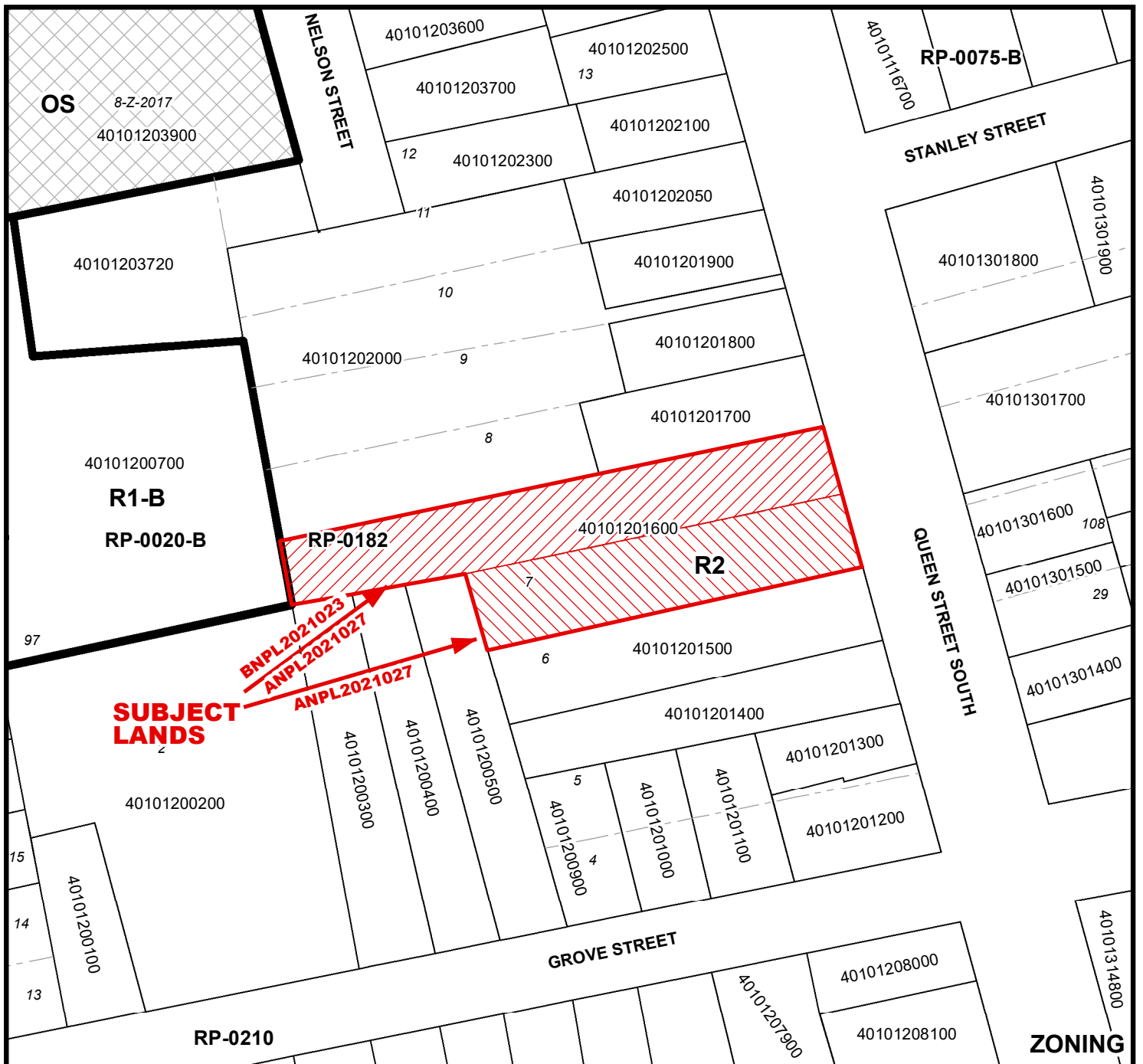
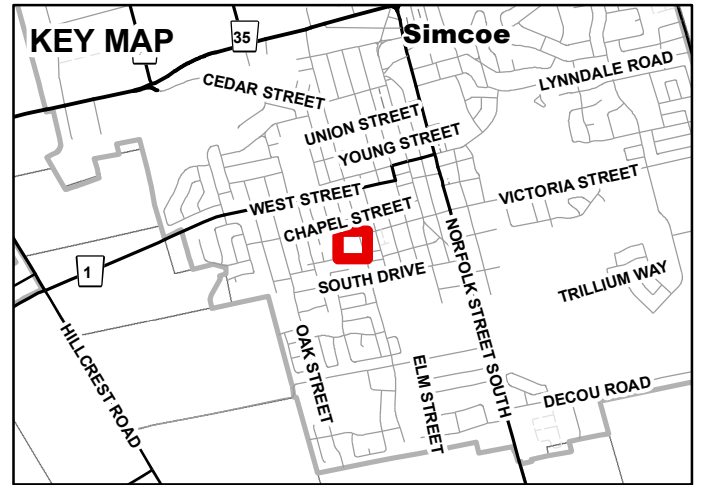
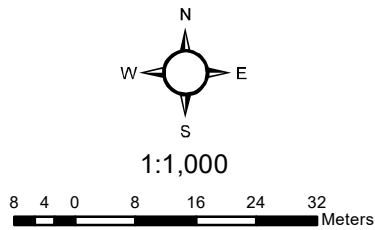
R1-B
 MINIMUM LOT FRONTAGE 12m
 MINIMUM FRONT YARD 6m
 INTERIOR SIDE YARD 1.2m (ATTACHED GARAGE)
 INTERIOR SIDE YARD 3m (DETACHED GARAGE)
 MINIMUM REAR YARD 7.5m
 MAXIMUM BUILDING HEIGHT 11m

NOTE: INFORMATION PROVIDED ON THIS DRAWING IS INTENDED TO DEMONSTRATE ZONING COMPLIANCE AND GENERAL PLACEMENT. C. JAGER DESIGN DOES NOT ACCEPT RESPONSIBILITY FOR THE ACCURACY OF THIS INFORMATION. ALL SUCH INFORMATION MUST BE VERIFIED WITH A SURVEY AND GRADING PLANS AS REQUIRED PREPARED BY OTHERS.

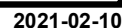
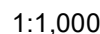
MAP 1

File Number: BNPL2021023 & ANPL2021027

Urban Area of
SIMCOE



Urban Area of SIMCOE



Urban Area of SIMCOE



MAP 4

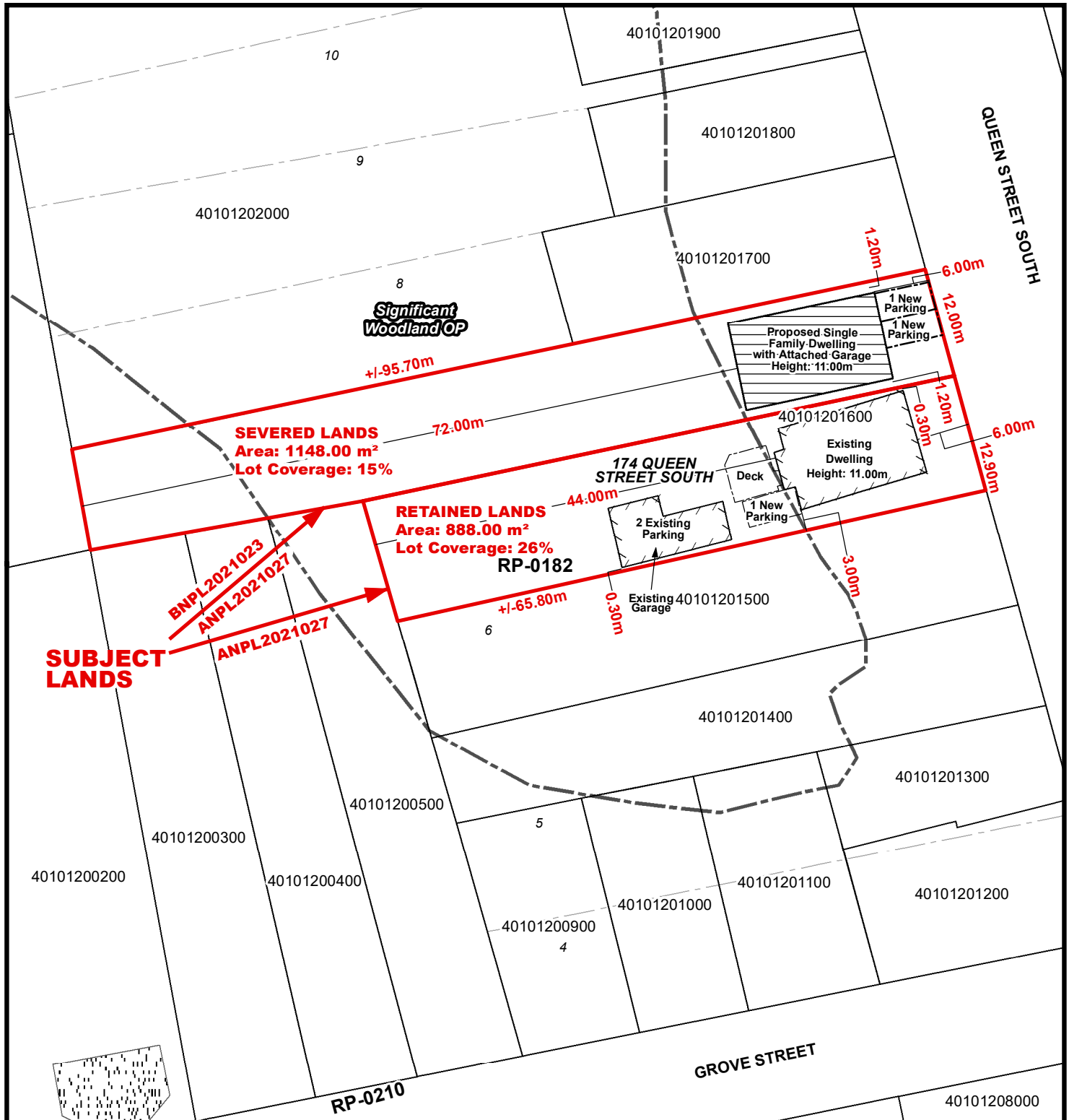
File Number: BNPL2021023 & ANPL2021027

Urban Area of SIMCOE



2 1 0 2 4 6 8 Meters

1:600



LOCATION OF LANDS AFFECTED

File Number: BNPL2021023 & ANPL2021027

Urban Area of SIMCOE



2 1 0 2 4 6 8 Meters

1:600

